

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

JOSEPH CLARK,

Case No. 3:23-cv-00488-MMD-CLB

Plaintiff,

ORDER

v.

STATE OF NEVADA, et al.,

Defendants.

**I. DISCUSSION**

On June 26, 2024, the Court issued an order screening Plaintiff's complaint under 28 U.S.C. § 1915A. (ECF No. 3). The Court allowed Plaintiff's First Amendment retaliation claim to proceed against Defendant Agle, dismissed Plaintiff's other claims with or without prejudice, and gave Plaintiff leave to file a first amended complaint by July 26, 2024. (*Id.* at 11-12). Plaintiff filed a motion for an extension, which the Court granted. (ECF Nos. 4, 5). Plaintiff has now filed a second motion for an extension. (ECF No. 6).

In his second request for an extension, Plaintiff states that he was attacked by another inmate for no apparent reason. (*Id.* at 2). It is Nevada Department of Corrections policy to put all parties involved in a fight in administrative segregation. (*Id.*). Even though Plaintiff did not instigate the fight, he was placed in administrative segregation, where he had no access to his inmate legal assistant. (*Id.*). Plaintiff has been cleared of wrongdoing and returned to general population, but he needs to an extension to arrange a time to meet with his legal assistant. (*Id.*). Good cause appearing, Plaintiff's motion is granted. Plaintiff shall file any first amended complaint on or before **October 4, 2024**. Baring unusual circumstances, the Court does not anticipate granting another extension.

**II. CONCLUSION**

For the foregoing reasons, it is ordered that Plaintiff's second motion for an extension to file a first amended complaint (ECF No. 6) is **GRANTED**. Plaintiff will file any first amended complaint on or before **October 4, 2024**.

1 It is further ordered that pursuant to the Court previous screening order, if Plaintiff  
2 chooses not to file a first amended complaint, this action will proceed on Plaintiff's First  
3 Amendment retaliation claim against Defendant Agle only.

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5 DATED THIS 5th day of September 2024.

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7 UNITED STATES MAGISTRATE JUDGE  
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